

REMARKS

After the foregoing amendment, claims 1-17, as amended, are pending in the application. Claims 1-8 and 14-17 have been withdrawn by the Examiner for further consideration in this prosecution. Applicant submits that no new matter has been added to the application by the Amendment.

Restriction

Applicant affirms election of claims 9-13, without prejudice.

Objections to the Drawings

The Examiner objected to Fig. 1 because boxes 12, 14, 18, 26 and 34 require legends. Applicant has attached an Appendix to this Amendment, including a replacement sheet for Fig. 1 including legends for boxes 12, 14, 18, 26 and 34 for the Examiner's approval. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objections to the drawings.

Rejection - 35 U.S.C. § 103

The Examiner rejected claims 9-12 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,633,740 (Estabrooks) in view of U.S. Patent No. 6,557,795 (Ohshio et al.). and further in view of U.S. Patent No. 5,008,710 (Kobayashi et al.). Applicant respectfully traverses the rejection.

The Examiner states that Estabrooks discloses all the essential elements of the claimed invention except for a rewind to cause a trailing edge and a leading edge of each successive sheet received by the rewind to be butted one to another on the rewind. The Examiner further states that Ohshio et al. teaches a rewind 7, to cause a trailing edge and a leading edge of each successive sheet received by the rewind to be butted one to another on the rewind. The Examiner supports this position by stating that "narrowing could very be possible to go to almost to zero which meets the claim language."

Ohshio et al. is directed to a veneer winding device and a method of winding veneer on the winding device such that "spatial intervals between the veneer sheets arranged end to end in a transport direction are narrowed under consideration of winding efficiency" (col. 15,

lines 15-19). This same language is repeated at various places in the specification, including col. 36, lines 4-5.

Claim 9 has been amended to replace the phrase "to be butted" with the phrase "to abut". The term "abut" has been selected as clearly requiring that the trailing edge and a leading edge of successive sheets touch. (See Merriam-Webster's Dictionary, Tenth Edition, page 5, abut – 1: to touch along a border or with a projecting part.) The amendment is supported at page 6, lines 8-11 of the specification.

Applicant submits that Ohshio et al. does not teach or suggest making successive sheets of veneer abut, as recited in amended claim 9. Ohshio et al. merely teaches that it would be desirable to narrow the space between successive sheets. A teaching of narrowing the space between sheets is not the same as a teaching for the sheets to touch. Further, narrowing the space between the sheets to "almost zero" is not the same as requiring the sheets to touch.

The Examiner further states that Estabrooks and Ohshio et al. together disclose all the essential elements of the claimed invention except for a rewind which receives output from a printer, but that Kobayashi et al. teaches a rewind that receives printed-on sheets output from a printer.

Kobayashi et al. is directed to a paper feeder of a label printer which prints on continuous printing paper (col. 1, lines 6-11). Consequently, the rewind 72 receives continuous printing paper and not separate sheets of printed-on paper as recited in amended claim 9.

Applicant submits that the combination of Estabrooks, Ohshio et al and Kobayashi et al. does not make claim 9 obvious. While Ohshio et al. discloses a rewind for storing separate sheets of veneer, Ohshio et al. does not teach or suggest that the sheets are stored on the rewind in an abutting relationship. Kobayashi et al. does not make up for the deficiency of Ohshio et al. because Kobayashi et al. discloses a rewind which stores continuous printing material and not separate sheets, and thus could not possibly teach storing separate sheets in an abutting relationship.

Applicant further submits that Estabrooks, Ohshio et al and Kobayashi et al. are not properly combinable under 35 U.S.C. § 103. There is no teaching, suggestion or disclosure in Estabrooks to provide the output of the printing apparatus to a rewind. Estabrooks merely describes a printing apparatus for precisely cutting a short printout to a desired length and does not address the type of device for receiving the printed-on material. Ohshio et al. does not teach

or suggest applying the method of storing veneer with narrowed spaces between sheets to the output of a printer. Kobayashi et al., while teaching the use of a rewind to a printer, teaches the use only in respect to receiving continuous printing material.

Further, even if Estabrooks, Ohshio et al and Kobayashi et al. were combined, the combination merely teaches arranging sheets end-to-end with a spatial interval between them and does not teach or suggest a controller which synchronizes a sheet printer and a rewind to cause a trailing edge and the leading edge of each successive printed-on sheet received by the rewind to abut one another on a rewind, as recited in amended claim 9.

Applicant submits that the combination Estabrooks, Ohshio et al and Kobayashi et al. do not make amended claim obvious. Accordingly, for all the above reasons, Applicant respectfully requests reconsideration and withdrawal of the §103 rejection of claim 9.

In respect to claim 10, the Examiner is of the position that Ohshio et al. teaches a sheet binder which attaches successive sheets one upon the other.

Claim 10 has been amended to more clearly recite that it is the leading and training edges of successive sheets that are attached one upon the other. Ohshio et al. merely discloses applying a tape to the veneer to reinforce the “ends” the sheets. The taping operation is clearly shown in Figs. 34 and 35. It is clear from Figs. 34 and 35 that the “ends” referred to by Ohshio et al. are not the leading and trailing edges of the veneer but rather, the sides of the veneer adjacent to the ends of the rollers. Further, the leading and trailing edges of the veneer are disclosed as being spaced apart. Thus, the taping disclosed by Ohshio et al. does not bind the leading and trailing edges one upon the other, as recited in amended claim 9.

Further, it is respectfully submitted that since amended claim 9 has been shown to be allowable, claims 10-12 dependent on claim 9 are allowable, at least by their dependency on amended claim 9. Accordingly, for all the above reasons, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claims 10-12.

Rejection - 35 U.S.C. § 103

The Examiner rejected claim 13 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,633,740 (Estabrooks) in view of U.S. Patent No. 6,557,795 (Ohshio et al.) and U.S. Patent No. 5,008,710 (Kobayashi et al.) and further in view of admitted prior art. Applicant respectfully traverses the rejection.

It is respectfully submitted that since amended claim 9 has been shown to be allowable, claim 13 dependent on amended claim 9 is allowable, at least by its dependency on amended claim 9. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 13.

Conclusion

Insofar as the Examiner's objections and rejections have been fully addressed, the instant application, including claims 9-13, is in condition for allowance and Notice of Allowability of claims 9-13 is therefore earnestly solicited.

Respectfully submitted,

EDWARD MICHAEL HANSBURG

September 9, 2004
(Date)

By:


LOUIS SICKLES II

Registration No. 45,803

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1294

Facsimile: 215-965-1210

E-Mail: lsickles@akingump.com

LS:lcd

Application No. 10/602,284

Reply to Office Action of June 10, 2004

Amendments to the Drawings:

The attached sheet of drawings include changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. In Fig. 1, legends for boxes 12, 14, 18, 26 and 34 have been added.

Attachment: Replacement Sheet